



The Council of Parent Attorneys and Advocates, Inc.
A national voice for special education rights and advocacy

June 12, 2008

The Honorable George Miller
Chairman
Committee on Education and Labor
US House of Representatives
Washington, DC 20510

Re: H.R. 5876 Stop Child Abuse in
Residential Programs for Teens Act of 2008

Dear Chairman Miller:

The Council of Parent Attorneys and Advocates (COPAA) writes to thank you for your work on H.R. 5876, the Stop Child Abuse in Residential Programs for Teens Act of 2008. As an organization dedicated to protecting the educational and civil rights of children with disabilities, we strongly support the bill. H.R. 5876 will make clear that children placed in private residential programs, including therapeutic boarding schools, wilderness camps, boot camps and behavior modification facilities, have the right to be free from abuse and neglect. Many of these children have disabilities, including emotional and mental health special needs.

According to the General Accountability Office, there have been thousands of allegations of abuse and neglect at these programs between 1994 and 2007, a number of which have resulted in death and serious injury. In 2005 alone, 33 states reported 1,619 staff members were involved in abuse incidents in residential programs. The GAO also found a pattern of ineffective management in the programs that compounded the effects of the abuse and neglect.

COPAA strongly supports H.R. 5876. The bill will prohibit programs from physically, mentally or sexually abusing children in their care; prohibit the denial of essential water, food, clothing, shelter, or medical care to a child, and require that programs physically restrain children only if it is necessary for their safety or the safety of others, and to do so in a way that is consistent with existing federal law on the use of restraints. HR 5876 will also require training on abuse and neglect. H.R. 5876 will hold the programs accountable by requiring unannounced site inspections at least every two years and imposing civil penalties for up to \$50,000 for violations of the law, and enabling parents to file civil actions if national standards are violated and their child is abused and harmed. H.R. 5876 will also encourage states to adopt strong monitoring and enforcement programs.

Every child in America is entitled to be treated with dignity and respect, in a program that is free of abuse. While some children may be placed in these private programs by their parents, others may be placed in them by school districts or other agencies. No child with a disability should be subjected to neglect or abuse in the name of treatment or under the guise of providing educational or therapeutic services, regardless of the setting.

COPAA thanks you and Congresswoman McCarthy for all of your work on this very important issue. We will urge our membership to contact their Representatives and ask them to support H.R. 5876. Thank you for your efforts to stop child abuse now.

Sincerely yours,

Robert Berlow
Jessica Butler
Government Relations Committee Co-Chairs
govrelations@copaa.org